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AMENDMENT 37 C.F.R. 1.111

Address to:
Assistant Commissioner for Patents
Washington, D.C. 20231

Attorney Docket	CELL-014
First Named Inventor	D.C. Yu
Application Number	09/392,822
Filing Date	September 9, 1999
Group Art Unit	1632
Examiner Name	J. Woitach
Title: <i>Adenovirus Vectors containing Cell Status-Specific Response Elements and Methods of Use thereof</i>	

Sir:

This amendment is responsive to the Office Action dated November 26, 2002, which set a three-month period for response.

Please amend the application as follows:

IN THE CLAIMS

Please replace the pending claims with the correspondingly numbered claims below. Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment; captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

1. (amended) A replication-competent adenovirus vector for selective cytosis of a target cell comprising,

a hypoxia responsive element (HRE) operably linked to an adenovirus gene essential for replication selected from the group consisting of E1A, E1B and E4, wherein said HRE comprises a binding site for hypoxia inducible factor-1.

24. (amended) A composition comprising:

a replication-competent adenovirus vector for selective cytosis of a target cell comprising a hypoxia responsive element (HRE) operably linked to an adenovirus gene essential for replication selected from the group consisting of E1A, E1B and E4, wherein said HRE comprises a binding site for hypoxia inducible factor-1; and a pharmaceutically acceptable excipient.

p1 TIE transcriptional regulatory elements

p28 HRE hypoxia

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TRANSMISSION VERIFICATION REPORT

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FAX : 16503497392
TEL : 16503497392

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CELL GENESYS
342 LAKESIDE DRIVE
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FACSIMILE TRANSMITTAL SHEET

TO: EXAMINER WOITACH FROM: LINDA R. JUDGE

FAX NUMBER: (703) 746-5192 DATE: MARCH 3, 2003

COMPANY: USPTO ART UNIT 1632 TOTAL PAGES INCLUDING COVER:

8

PHONE NUMBER: (703) 305-3732 SENDER'S REF NUMBER: 09/392,822

RE: DRAFT AMENDMENT FOR YOUR REFERENCE NUMBER:
DISCUSSION AT INTERVIEW

Dear Examiner Woitach:

Attached is a draft amendment and summary of the pending claims for purposes of discussion at the interview scheduled for Tuesday March 4, 2003 at 10:30 AM.

Please give me a call if you have any questions.

CELL GENESYS
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FOSTER CITY, CA 94404
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TO: EXAMINER WOITACH **FROM: LINDA R. JUDGE**

FAX NUMBER: (703) 746-5192 DATE: MARCH 3, 2003

COMPANY: USPTO ART UNIT 1632 TOTAL PAGES INCLUDING COVER: 1

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Please give me a call if you have any questions.

Best regards,

Linda R Judge

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